

Serial No. 09/073,029

- 5 groove for positioning the screen unit laterally between said jamb members and to permit using said extrusion as a head member connecting said jamb members after said flange is removed.

REMARKS

The Office Action has been carefully reviewed in light of the cited references and the Examiner's comments, and accordingly, independent claims 1 and 9 are being replaced by new claims 21 and 22, and dependent claims are being amended and added to distinguish Applicants' invention more clearly and to place all of the claims in condition for allowance. The allowability of dependent claims 12 and 20 is noted, and these claims are now dependent on new claims 21 and 22. New claims 21 and 22 are generic to all embodiments disclosed in connection with FIGS. 1-5 and are believed to be allowable for the reasons which follow. Accordingly, dependent claims 8 and 16 have been retained and have been amended to depend from claims 21 and 22, respectively.

With respect to new claim 21, Applicants' frame for a window assembly is claimed in combination with a building wall (14) having an inner surface and an exterior surface and defining a window opening (12) for receiving the frame. The frame includes an elongated sill member (25) of extruded plastics material and connecting a pair of elongated jamb members (110) of extruded plastics material, each of the sill and jamb members including longitudinally extending and laterally spaced inner and

Serial No. 09/073,029

outer walls (27, 29) connected by longitudinally extending transverse walls (31-33) generally perpendicular to the inner and outer walls, each of the sill and jamb members including an exterior portion (45, 135) projecting outwardly from the exterior surface of the building wall (14) and cooperating with an exterior transverse wall (31) to define a channel (58) disposed outwardly from the exterior surface of the building wall, the channels of the sill and jamb members extending laterally inwardly of the outer walls (29) of the sill and jamb members and laterally inwardly of the window opening (12), and the channels having substantial depth from the outer walls (29) for receiving edge portions of exterior siding (100) mounted on the exterior surface of the building wall with the edge portions of the siding projecting laterally inwardly of the window opening (12).

After carefully reviewing the cited references, Applicants can find no disclosure or suggestion in any of the references of the above combined structure which Applicants have found to be highly desirable for eliminating the need to use a conventional and separate J-rail around Applicants' window assembly. For example, the recess or groove 22 disclosed in French '199 (Ref. T) is used for attaching trim accessories or weather stripping, such as the grooves 44 disclosed in one of Applicants Patent No. 5,003,747 cited in Applicants' Information Disclosure Statement, or the trim mullion cover 125 disclosed in FIG. 6 of Scott et al. '644 (Ref. D). Such accessory grooves are also shown in

Serial No. 09/073,029

the drawings of the window assembly disclosed in Dallaiere et al. '955 (Ref. C). Similarly, the exterior projecting grooves 31 disclosed in Slessor '723 (Ref. B) and in Huelsekopf '100 (Ref. E) are for receiving trim strips such as disclosed in FIGS. 2 and 3 of the Huelsekopf patent.

The above comments also apply to new claim 22 which includes the structure of claim 21 and also sets forth Applicants' nailing flange 38 which projects laterally outwardly from the outer wall (29) and the exterior transverse wall (31) of Applicants' jamb members (110) and which provide for conveniently positioning the jamb members so that the corresponding channels 58 project inwardly of the window opening 12.

The references also fail to disclose or suggest the more specific structure of Applicants' window assembly frame as set forth in the claims dependent from new claims 21 and 22, such as Applicants' laterally spaced walls 46 and 48 (FIG. 1) of Applicants' sill member 25 to support the flange wall 50, as set forth in claims 2 and 10, or Applicants' first wall 46 and trim wall 132 (FIG. 2) to support the flange wall 50 of Applicants' jamb members 110 and recited in claim 3, or Applicants' jamb members 110 having exterior portions 135 with bottom ends mating with the inner wall 46 of the sill member 25, as called for in claim 5, or Applicants' double wall flange 50 defining the channel 58, as recited in claims 7 and 15, or Applicants' cavity 188 (FIG. 5) within the sill member 185 for receiving an edge portion of a wood sill extender, as set forth in claims 8 and 16. Allowable claims 12 and 20 have also been amended to include the snap-fit

Serial No. 09/073,029

engagement between the leg portion 98 of Applicants' trim strip 95 and the accessory groove 93 disposed adjacent the outer wall 29 and interior transverse wall 33 of Applicants' sill and jamb members.

In view of the foregoing, Applicant believes that each of new claims 21 and 22 and the claims dependent therefrom defines a combined structure which is clearly distinguished from the references. Accordingly, Applicants believe that these claims are in condition for allowance, and respectfully request that this application be passed to issue.

Respectfully submitted,

JACOX, MECKSTROTH & JENKINS



Alan F. Meckstroth
Reg. No. 22,607

AFM:kk
June 17, 1999
Dayton, Ohio 45419-1575
937/298-2811